



Austin City Council MINUTES

For AUGUST 3, 1989 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

Mayor Cooke called to order the meeting of the Council, noting the absence of Councilmember Humphrey.

MINUTES APPROVED

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Nofziger's second, approved minutes for the regular meeting of July 27, 1989. (4-0 Vote, Councilmembers Urdy and Carl-Mitchell out of the room, Councilmember Humphrey absent.)

REPORT

The Economic Development Commission report on the marketing program was presented.

ITEMS POSTPONED

Postponed indefinitely is a contract to Pelzel & Associates for an office storage building at the city landfill.

Postponed to August 10, 1989 is consideration of approval of a resolution supporting a high priority on the national agenda for a comprehensive universal health care plan.

CONSENT ORDINANCES

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Shipman's second, waived the requirement for three readings and finally passed the following ordinances all in one consent motion: (5-0 Vote, Councilmember Urdy out of the room, Councilmember Humphrey absent.)

Speed Zones

Amended the Austin City Code to modify the following speed zones:

- a. 11-2-100(c) 45 mph
Add: East Koenig Lane (Spur 69 Main Lane) from 170 feet east of the Austin and Northwestern Railroad Crossing to 470 feet east of Airport Boulevard, for westbound traffic only.
- b. 11-2-100(e) 55 mph
Delete: U.S. 290 (Main Lanes) from 470 feet east of the centerline of Airport Boulevard to 780 feet east of the centerline of Berkman Drive, for westbound traffic only.

- c. 11-2-100(e) 55 mph
Delete: U.S. 290 (Main Lanes) from 430 feet east of the Southern Pacific Railroad Crossing to 780 feet east of the centerline of Berkman Drive, for eastbound traffic only.
- d. 11-2-100(e) 55 mph
Delete: U.S. 290 (Main Lanes) from 1510 feet east of the centerline of Northeast Drive, to the east City Limits (2400 feet north of the centerline of U.S. 183)
- e. 11-2-100(e) 55 mph
Add: U.S. Highway 290 East (Main Lanes) from Mile Point 2.313 at North IH-35 to Mile Point 8.179 (1.22 miles or 6,442 feet east of FM 3177), east City Limits.
- f. 11-2-100(e) 55 mph
Add: East Koenig Lane (Spur 69 Main Lane) from Mile Point 2.313 at North IH-35 to 470 feet east of the centerline of Airport Boulevard for westbound traffic.
- g. 11-2-100(e) 55 mph
Add: East Koenig Lane (Spur 69 Main Lane) from Mile Point 2.313 at North IH-35 to 430 feet east of the Austin and Northwestern Railroad Crossing, for eastbound traffic.
- h. 11-2-100(c) 45 mph
Delete: The North Frontage Road of U.S. 290 from 170 feet east of the Southern Pacific Railroad Crossing to 1050 feet east of the centerline of Kyle Drive, for westbound traffic only.
- i. 11-2-100(c) 45 mph
Delete: The South Frontage Road of U.S. 290 from 430 feet east of the Southern Pacific Railroad Crossing to 570 feet east of the centerline of Kyle Drive, for eastbound traffic only.
- j. 11-2-100(c) 45 mph
Add: The North Frontage Road of East Koenig Lane (Spur 69) from 170 feet east of the Austin and Northwestern Railroad Crossing to Mile Point 2.313 at North IH-35, for westbound traffic only.
- k. 11-2-100(c) 45 mph
Delete: U.S. 290 (Main Lanes) from 170 feet east of the Southern Pacific Railroad Crossing to 470 feet east of the centerline of Airport Boulevard, for westbound traffic only.
- l. 11-2-100(c) 45 mph
Delete: U.S. 290 (Main Lanes) from 780 feet east of the centerline of Berkman Drive to 1510 feet east of the centerline of Northeast Drive.
- m. 11-2-100(c) 45 mph
Add: The South Frontage Road of East Koenig Lane (Spur 69) from 430 feet east of the Austin and Northwestern Railroad Crossing to Mile Point 2.313 at North IH-35, for eastbound traffic only.

- n. 11-2-100(c) 45 mph
Add: The South Frontage Road of U.S. 290 East from Mile Point 2.313 at North IH-35 to Mile Point, 3.776 (2170 feet east of Berman Drive), for eastbound traffic only.
- o. 11-2-100(d) 50 mph
Add: The South Frontage Road of U.S. 290 East from Mile Point 3.776 (2170 feet east of Berkman Drive) to Mile Point 2.667 (1320 feet east of the centerline of U.S. 183), for eastbound traffic only.
- p. 11-2-100(c) 45 mph
Add: The North Frontage Road of U.S. 290 East from Mile Point 2.313 at North IH-35 to Mile Point 3.776 (2170 feet east of Berkman Drive), for westbound traffic only.
- q. 11-2-100(d) 50 mph
Add: The North Frontage Road of U.S. 290 East from Mile Point 3.776 (2170 feet east of Berkman Drive) to Mile Point 2.667 (1320 east of the centerline of U.S. 183), for westbound traffic only.

Zoning Ordinance

Passed through second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code to rezone the property locally known as 9501 Stonebridge Drive, Zoning Case C14-88-0129-CO, from "SF-3" to "LO-CO", Burtis L. Wilkins/Rickford C. Redmond by D. Lippincott/R. Martin. First Reading February 23, 1989; Vote 6-0, Councilmember Humphrey out of the room. Conditions met as follows: Conditional overlay Ordinance incorporating conditions imposed by Council has been executed. Right-of-way dedication requirement has been satisfied.

Traffic Signal Bonds

Approved reallocation of 1982 Bonds approved for traffic signalization from the Traffic Signal Installation Project to the Modernization of Traffic Signals Project. (Transfer of \$300,000.00 in 1982 bond funds)

CONSENT RESOLUTIONS

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, adopted the following resolutions, all in one consent motion: (6-0 Vote, Councilmember Humphrey absent)

Weatherization Services

Approved a nine-month contract award to Weather Rite, Inc. 4606 Burleson Road, Austin, Texas for the weatherization services and space heater replacement for low income gas utility customers in an amount not to exceed \$85,000.00. (Funding available in the FY 1988-89 operating budget of the Environmental and Conservation Services Department.)

Weatherization Services

Approved a nine-month contract award to Weather Rite, Inc. 4606 Burleson Road, Austin, Texas, for weatherization services for low income gas utility customers in an amount not to exceed \$60,000.00. (Funding is available in the FY 1988-89 Operating Budget of Environmental and Conservation Services Department.)

IBM Mainframe Update

Authorized and approved a contract award to Phoenix Computer Associates, Inc. 991 Post Road East, West Port, Connecticut for upgrade of IBM mainframe computer for the Austin Police Department in an amount not to exceed \$32,900.00.

Nominating Committee - Retirement Board Election

Appointed six members and six alternate members of the Nominating and Election Committee for 1989 Employees' Retirement Board Election as follows:

MEMBERS: Cathy Baumgardner, Electric Dept., Dir. Admin. & Comm. Svc.
Alma Conley, Human Resources, Civil Service Technician
Bobby Garcia, Financial Svc., Supv. Customer Relations
Dora Herrera, Hospital, Account Clerk
John Linton, W/WW, Program Manager
Joe Morahan, TPSD, Real Estate Manager

ALTERNATES: Glen Bell, W/WW, Manager Management Svcs.
Carolyn Harris, Human Resources, Affirmative Action Recruiter
Mario Garcia, Financial Svc., Budget Analyst II
Dorothy Lay, TPSD, Sr. Financial Analyst
Marianne Martinez, Hospital, Administrative Technician
Steve Sheffield, Electric, Supv. Electrical Maint. I

Nominating Committee - Police Retirement Board Election

Appointed five members to the Nominating and Election Committee for 1989 Police Retirement Board election as follows:

Lt. Ruben Lopez
SSgt. Gary Morrison
SPO Vernon Crumley
SPO Jimmie Spears
SPO Sonya Gil

Grant Applications - Junior League

Authorized to apply for and accept a grant from the Junior League of Austin for \$14,990.00 to strengthen the collection holdings of the Austin History Center in the area of local businesses for the period June 1, 1990 to May 31, 1991.

Junior League - (Contd.)

Authorized and applied for and accepted a grant from the Junior League of Austin for \$20,410.00 for continuation of Project Walking Books for the period September 1, 1990 through May 31, 1991.

Sale of Land

Approved the sale of 5,625 square feet of land to Travis County for street purposes, at the appraised value of \$516.00.

Approved the sale of 659 square feet of land to Travis County for street purposes for the appraised value of \$110.00.

PUBLIC HEARING POSTPONED

City Attorney Barney Knight announced that the public hearing scheduled to be heard at 5:30 P.M. was improperly posted so the hearing should be held at a later date.

Council unanimously agreed to postpone the public hearing for the dedication of public right-of-way and temporary construction easements for the South First Street (Drake) Bridge project out of dedicated parkland known as the North Bank Town Lake and Auditorium Shores to September 21, 1989 at 5:00 P.M.

SOUTH FIRST STREET BRIDGE IMPROVEMENTS

The Council, on Councilmember Nofziger's motion, Mayor Pro Tem Shipman's second, approved an agreement with the State Department of Highways and Public Transportation in the amount of \$158,983.15 for preliminary engineering for the South First Street (Drake) Bridge. (5-0 Vote, Councilmembers Urdy and Humphrey absent)

1991 NATIONAL PAN AM GOLF TOURNAMENT

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, adopted a resolution to allow the Pan American Golf Association usage of the City of Austin's three eighteen-hole golf courses for its 1991 National Pan American Golf Association's National Tournament and Convention. (6-0 Vote, Councilmember Humphrey absent.)

SIGNS

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Carl-Mitchell's second, approved interim development regulations relating to signs on property abutting William Cannon Drive between Brodie Lane and Southwest Parkway. (6-0 Vote, Councilmember Humphrey absent)

ENERGY INCENTIVE PAYMENTS

The Council, on Councilmember Carl-Mitchell's motion, Councilmember

Urdu's second, adopted a resolution approving energy conservation incentive payments to Sematech in an amount not to exceed \$218,604.00 from the Brown and Root CIP fund for the Environmental and Conservation Services Department. (5-0 Vote, Councilmember Barnstone abstained, Councilmember Humphrey absent)

PARK LAND USE REPORT AND SETTING OF PUBLIC HEARING

Mayor Pro Tem Shipman introduced an item to Council to receive a final report from the Park Land Use Task Force and set a public hearing.

Terry Colgin reported to Council concerning the Park Land Use Task Force recommendations.

Motion

The Council, on Mayor Pro Tem Shipman's motion, Mayor Cooke's second, set a public hearing on park land use for August 24, 1989 at 5:00 P.M. (5-0 Vote, Councilmember Carl-Mitchell out of the room, Councilmember Humphrey absent.) Mayor Pro Tem Shipman asked that the report be referred to Parks and Recreation Board, Music Commission, Waterfront Planning Board and Economic Development Commission.

RECESS

Council recessed its meeting from 2:10 to 2:20 P.M. for the Austin Housing Finance Corporation meeting.

RECESS

Council recessed from 2:22 to 4:20 P.M.

EXECUTIVE SESSION

Mayor Cooke announced Council would enter into executive session pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated, to discuss matters of land acquisition, litigation, and for personnel matters. No final action, decision or vote by the City Council will be taken on any subject or matter unless specifically listed on the agenda for this meeting.

Pending Litigation - Section 2, Paragraph e

- (a) City of Austin vs. Houston Lighting and Power
- (b) Potential Litigation re Rental Rehabilitation Program Funds
- (c) Claims related to suspension and termination of contract for construction of Resource Recovery Generating Plant

Land Acquisition - Section 2, Paragraph f

- (a) Discuss proposals for convention center site selection

RECESS

Council recessed its meeting from 4:21 to 5:30 P.M. At this point Councilmember Urdy left the Council Chamber for the remainder of the meeting.

RESOURCE RECOVERY GENERATING PLANT

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, adopted a resolution authorizing the City Manager or Her designee to execute an agreement between the City of Austin and the Babcock & Wilcox Company resolving claims related to suspension and termination of a contract for construction of the Resource Recovery Generating Plant. (5-0 Vote, Councilmembers Urdy and Humphrey absent)

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, adopted a resolution authorizing the City Manager or her designee to execute an agreement between the City of Austin and HDR Engineering Inc. resolving claims related to suspension and termination of a contract for engineering for the Resource Recovery Generation Plant. (5-0 Vote, Councilmembers Urdy and Humphrey absent)

PUBLIC HEARING

Mayor Cooke opened the public hearing set for 5:00 P.M. amending Chapter 13-2 to permit commercial blood plasma donation centers in CS, Commercial Services, and less restrictive districts and require conditional use permits under certain conditions.

Speaker's cards are on file in the City Clerk's office.

Motion

Councilmember Barnstone made a motion, seconded by Councilmember Carl-Mitchell to waive the requirement for three readings and finally pass an ordinance amending Chapter 13-2 to permit commercial blood plasma donation centers in CS, Commercial Services, and less restrictive districts and require conditional use permits under certain conditions and close the public hearing.

Friendly Amendment - Accepted

Mayor Pro Tem Shipman offered a friendly amendment to delete the word donation, Her amendment was accepted.

Roll Call on Motion with Friendly Amendment

5-0 Vote, Councilmembers Urdy and Humphrey absent

CITIZEN COMMUNICATIONS

Mr. William W. Sullivan Jr. withdrew his request to speak.

CITIZEN COMMUNICATIONS - (Contd.)

Mr. Bill Kaman discussed treatment plant and overweight, unsafe trucks on roadways. Mr. Russ Hodes talked about random drug testing by employers. Mr. Albert Fairweather discussed property on 1157 Navasota Street. Mr. Mark Weaver and Mr. Rory Derrick talked about and showed slides of sexually-oriented businesses and their zoning. Mrs. Mary Ann Magee did not appear to speak. Ms. Carol Guthrie and Ms. Maria Rocha discussed the FY 1989-90 City budget and employee relations. Mr. Tom Shefelman presented the A.I.A. (American Institute of Architecture) design award to Architectural Management Division staff.

BOARD AND COMMISSION APPOINTMENTS

Council made the following board and commission appointments:

Cable Commission

Shelly Brisbin - On Mayor Pro Tem Shipman's motion, Councilmember Barnstone's second, 5-0 Vote, Councilmembers Urdy and Humphrey absent.

Stuart Heady, Jack Keever, Paul Leche and Mariann Wizard - On Mayor Pro Tem Shipman's motion, Councilmember Carl-Mitchell's second, 5-0 Vote, Councilmembers Urdy and Humphrey absent.

Electric Utility Commission

Al Fairweather, Robert Floyd, Paul Norris and Michael Williams - On Councilmember Carl-Mitchell's motion, Mayor Pro Tem Shipman's second, 5-0 Vote, Councilmembers Urdy and Humphrey absent.

Private Industry Council

Pete Botello and Margie Bybee - On Mayor Cooke's motion, Councilmember Barnstone's second, 5-0 Vote, Councilmembers Urdy and Humphrey absent.

Resource Management Commission

Kenneth Altes and Stuart Garner - On Mayor Pro Tem Shipman's motion, Mayor Cooke's second, 5-0 Vote, Councilmembers Urdy and Humphrey absent.

Solicitation Board

George More, Rick Resnik and Alice Scarbrough - On Mayor Pro Tem Shipman's motion, Councilmember Carl-Mitchell's second, 5-0 Vote, Councilmembers Humphrey and Urdy absent.

Solid Waste Advisory Commission

John (Bill) Carter, Bob Gregory and Gail Vittori - On Councilmember Carl-Mitchell's motion, Mayor Cooke's second, 5-0 Vote, Councilmembers Urdy and Humphrey absent.

Waterfront Planning Advisory Board

Glenn Rosales - On Councilmember Barnstone's motion, Councilmember Carl-Mitchell's second, 5-0 Vote, Councilmembers Humphrey and Urdy absent.

Ethics Commission

Nominated to the Ethics Commission by Councilmember Carl-Mitchell, was Gregory Hartman. This nomination was approved by acclamation.

ADJOURNMENT

Council adjourned its meeting at 6:40 P.M.